

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LINDA MARTINSON,

Plaintiff,

v.

Case No. 09-13552

United States District Judge Paul D. Borman
Magistrate Judge Mark A. Randon

REGENTS OF THE UNIVERSITY OF
MICHIGAN, a constitutional body corporate;
CAROL LOVELAND-CHERRY, individually
and in her official capacity; JUDITH LYNCH-SAUER,
individually and in her official capacity;
and BONNIE HAGERTY, individually and in her
official capacity,

Defendants.

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ORDER DENYING PLAINTIFF'S SECOND MOTION TO ADJOURN SCHEDULING
ORDER (DKT. NO. 42) AND DENYING AS MOOT DEFENDANTS' MOTION FOR A
PROTECTIVE ORDER (DKT. NO. 44)

Plaintiff filed her Complaint in this case on September 9, 2009. The initial scheduling order in the case set a discovery cut-off date of August 25, 2010. (Dkt. No. 12.) After Plaintiff became dissatisfied with and dismissed her original counsel and retained new counsel, the Court amended the scheduling order and set a new discovery cut-off date of March 5, 2011. (Dkt. No. 25.) In November, 2010, Plaintiff became dissatisfied with and dismissed her new counsel and decided to proceed *pro se*. The Court granted Plaintiff further leniency and amended the scheduling order for a third time, extending the discovery cut-off date to July 11, 2011. (Dkt. No. 31.) On July 7, 2011,

four days before the July 11, 2011 close of discovery, Plaintiff filed with the Court yet another motion to adjourn the scheduling order dates, apparently still intending to depose an additional thirty some witnesses. (Dkt. No. 42.)

On July 11, 2011, the date on which discovery closed in this case, Plaintiff submitted to the Court a 70-page proposed amended complaint, adding close to 230 additional paragraphs of factual allegations and several new Defendants, in the form a proposed order and without filing a motion for leave of Court to amend. Although Plaintiff complains that she has been prevented from diligently pursuing discovery in this matter because her time has been spent responding to Defendants' motion to dismiss, in fact her response to that motion was filed on May 31, 2011 (after receiving a generous extension of time to respond). Further, it is clear that Plaintiff has been spending a significant portion of her time preparing her voluminous proposed amended complaint.

Defendants' motion to Dismiss is fully briefed and scheduled for hearing on August 31, 2011. Discovery in this matter has closed after several extensions of time and indulgences have been granted to Plaintiff. The Court will proceed with the hearing on Defendants' Motion to Dismiss, DENIES Plaintiff's Motion to Adjourn the Scheduling Order dates, and DENIES as moot Defendants' motion for a protective order to prohibit Plaintiff from deposing witnesses after the discovery cut off date.

IT IS SO ORDERED.



PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: 7-14-11